

**ARKANSAS PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL
BAIL BONDSMAN LICENSING BOARD**

October 14, 2005

Vice-Chairman Tommy Sturgeon called the meeting to order at 9:00 a.m.

Roll call was taken. The following members were present: Rex Morris, Frank Sturgeon, Eugene Reynolds, Phyllis Carruth and Marc Oudin. Also present were Assistant Attorney General Amy Ford, Executive Director, Tommy Reed, Board staff and members of the audience.

Following a review of the Board Minutes for September 9, Mr. Oudin moved to approve the minutes as presented. Mr. Reynolds seconded. The motion carried on unanimous voice vote.

OLD BUSINESS

Transfers/Suspensions/Reinstatements:

A report was provided for information purposes: Two (2) transfer requests were submitted and approved during the month. There were six (6) agent suspensions due to termination or suspension by the company. Vice-Chairman Sturgeon invited comment or discussion. There was none and the Board proceeded.

Forfeitures - Open:

The Open Forfeiture Report was presented. The Vice-Chair invited comment or discussion. There was no discussion, the Chair called for motions. Mr. Oudin moved to suspend those licensees whose forfeitures were not timely paid between October 14, 2005 and November 18, 2005. Mr. Morris seconded. The motion carried on unanimous voice vote.

Past Due Forfeitures:

The Past Due Forfeiture Report was presented for review. Vice-Chairman Sturgeon invited questions, comments or discussion. There was discussion regarding the status of the \$100,000 judgment out of Ouachita Co. against Manuel Bail Bonds. Mr. Reed reported that he had not yet received proof of service of the judgment from the Prosecutor and had no information regarding why proof had not been provided. There was discussion regarding a \$265,000 judgment out of Crittenden Co. against Manuel Bail Bonds. Mr. Reed reported a Motion to Set Aside had been received and a letter had been sent to the clerk advising that the Board would take action pending resolution of the motion and notice from the clerk. There were no further comments and the Board proceeded.

NEW BUSINESS

September Vouchers Paid & Financial Report:

Vice-Chairman Sturgeon invited questions and/or discussion regarding the vouchers paid in September. There were no questions or comments and the Board proceeded.

License Approvals:

Four (4) bondsman license applications and fifteen (15) tentative bondsman applications were submitted for Board approval. Mr. Oudin moved to approve those applications as presented, pending receipt of necessary documentation on the tentative applications. Mr. Reynolds seconded. The Chair called for discussion or comments; hearing none, the matter was put to a vote. The motion carried on unanimous voice vote.

Bondsman Application of Charles Eakin – J.E. Bail Bonding, Inc.

The bondsman application of Charles Eakin was presented for Board consideration based on the results of the criminal background check. Documentation submitted by Mr. Eakin was provided for the Board's information and Mr. Eakin was present and responded to questioning by the Board. After discussion, Mr. Oudin moved to approve the bail bondsman application of Charles Eakin. Mr. Morris seconded. The motion carried on unanimous voice vote.

Bondsman Application of Jesus Marquez-Guerrero – First Arkansas Bail Bonds, Inc.

The bondsman application of Jesus Marquez-Guerrero was presented for Board consideration based on the results of the criminal background check. Documentation submitted by Mr. Marquez-Guerrero was provided for the Board's information and Mr. Marquez-Guerrero was present and responded to questioning by the Board. After discussion, Mr. Oudin moved to approve the bail bondsman application of Jesus Marquez-Guerrero. Mr. Reynolds seconded. The motion carried on unanimous voice vote.

Request for authorization to explore purchase of un-marked vehicle

Mr. Reed presented a request for Board authorization to explore purchase of an un-marked vehicle for use in investigations of alleged violations of bail bond statutes, rules and regulations. He explained that there were occasions when the use of a vehicle bearing a state seal decal and state license plates might jeopardize an investigation and that the Board investigator currently rents a car in those instances. Ms. Carruth asked if the use of a rental car might not be more appropriate because a different car would be used each time, whereas once the license number, model and color of the "un-marked" vehicle were known the anonymity of the "un-marked" vehicle would be lost. After discussion of the matter, Mr. Reynolds moved to authorize exploration purchase of an un-marked vehicle. Mr. Morris seconded. The motion carried on unanimous voice vote

Public Comments:

Vice-Chairman Sturgeon opened the floor for public comments. Tom Nickolich advised the Board that the Executive Director had certified the continuing education program presented by Bail Bond Financing, Inc. in violation of Section 5(c) of Rule 2 of the Board which requires that continuing education courses offered by a bail bond company must be attended by and monitored by a Board approved course provider other than the company course provider.

Mr. Reed explained that Gary Edwards, president of the Arkansas Professional Bail Association, asked him to attend and certify the class as a delegate of the APBA education committee. He stated he was on the agenda of the course as a presenter and that he certified the course presented as the Executive Director of the Board, without regard to Mr. Edwards request. He stated it was his opinion that, although the rule does not include the Executive Director as an approved monitor, he felt the Executive Director had authority to certify to the Board that the course that was presented complied with the Board approved course.

After considerable discussion between the Board members and members of the public audience, the Board announced approval of Mr. Reed's authority as Executive Director to attend and certify such courses.

There were no further comments and the meeting was adjourned.

Submitted for approval: This 18th day of November 2005, _____

Don Smith, Chairman